



12-23-03

1714

Atty. Dkt. No. 044829-0127
Appl. No. 09/850,324

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McDonald, et al
Title: ANTIMICROBIAL POLYMER
Appl. No.: 09/850,324
Filing Date: 05/07/2001
Examiner: Ana Lucrecia Woodward
Art Unit: 1714

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EV055898027 US	December 22, 2003
(Express Mail Label Number)	(Date of Deposit)
Suzanne Langley	
(Printed Name)	
(Signature)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR § 1.56. A copy of the listed documents are being submitted to comply with the provisions of 37 CFR § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), after the mailing date of the first Office Action on the merits but before the mailing date of either a final action under §1.113 or a notice of allowance.

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this information disclosure statement.

RELEVANCE OF THE DOCUMENTS

PCT/US02/14304 is the corresponding international application for the instant U.S. application. Enclosed herewith is a copy of the International Search Report for PCT/US02/14304.

JP 11 222402 is a Japanese language application. The English language abstract for JP 11 222402 was cited as an "X" reference in the International Search Report for PCT/US02/14304. An English language counterpart of JP 11 222402 is not available. However, the absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP § 609).

WO 01/11956 is a French language PCT application that was cited as an "A" reference in the International Search Report for PCT/US02/14304. An English language counterpart of WO 01/11956 is not readily available. However, according to the abstract for WO 01/11956, the application relates to "novel bioactive agents,

comprising a dendritic polymer and at least a compound based on a biocidal metal or biocidal metal ions, [and] compositions based on thermoplastic polymers, comprising such agents."

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 12/22/03

By M. Scott McBride

FOLEY & LARDNER
777 East Wisconsin Avenue, Suite
3800
Milwaukee, Wisconsin 53202-5306
Telephone: (414) 297-5529
Facsimile: (414) 297-4900

M. Scott McBride
Attorney for Applicant
Registration No. 52,008

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Date Submitted: December 22, 2003

(use as many sheets as necessary)

Complete if Known

Application Number	09/850,324
Filing Date	05/07/2001
First Named Inventor	William F. McDonald
Group Art Unit	1714
Examiner Name	Ana Lucrecia Woodward
Attorney Docket Number	044829-0127

Sheet

1

of

1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		JP	11222402		Hiroaki	08-17-1999		
		WO	01/11956		Canova	02-22-2001		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
		Patent Abstracts of Japan vol. 1999, no. 13, 30 November 1999 (1999-11-30) & JP 11 222402,A (Osaka Gas Co. Ltd), 17 August 1999 (1999-08-17) abstract	
		PCT, International Search Report for PCT/US02/14304.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

001.1546802.1